



U.S. Army Southern Regional Environmental Office

REGIONAL REVIEW



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REGION 4 EDITION

This publication provides current information on environmental actions and events in the Federal Region 4 area (Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, and Tennessee) that affect U.S. Army activities and operations. Its purpose is to keep Army environmental decision makers, planners and program managers abreast of developments important to their responsibilities. We encourage feedback and welcome suggestions for expanded or improved coverage. Please contact us at: U.S. Army Environmental Center, Southern Regional Environmental Office, Attn: SFIM-AEC-SR, 430 Tenth Street N.W. Suite S-206 Atlanta, GA 30318-5768, (404) 347-1570 ext. 275 commercial, (404) 347-1577 fax, or electronically at mgrice@sreo.army.mil. For additional sources of information regarding environmental regulations, please contact the Army Environmental Information System Hotline at 1-800-USA-EVHL or <http://aec.army.mil/>

ANNOUNCEMENTS

DECISION TOOL TO ASSIST INSTALLATIONS COMBAT DUST: In recent years, the increase in state and federal regulations governing fugitive dust emissions has caused some concern for Army installation land managers and resulted in some difficult problems for them. Uncontrolled dust production is not only becoming an environmental problem - it also can damage and disable expensive training equipment in the field. Installation managers increasingly need readily available, appropriate and cost-effective strategies to help them solve their dust-control problems. With this in mind, the U.S. Army Environmental Center, in cooperation with the Corp of Engineers Laboratories (Construction Engineering Research Laboratories and the Waterways Experiment Station), has developed the Dust Control Guidance and Technology Selection Key (AEC Report #SFIM-AEC-EQ-CR-99002, CERL Report #99/21). This Selection Key provides guidance on the identification, selection, and application of installation-specific dust control measures. The Selection Key comes in three compatible formats: a handy pocket field guide, a comprehensive handbook, and an interactive, Web version. Land managers can take the field guide to sites where dust control is a problem and review their options for solutions while assessing site conditions. Once back in the office, they can consult the handbook or the Web version for answers to questions that arose in the field. The handbook includes ways to identify areas that need dust control, explanations of site maintenance and construction methods, and descriptions of mechanical stabilization practices to consider before using dust control products. The handbook also takes the user through a series of questions on site-specific factors such as climate, underlying soil types, surface characteristics, and vehicle types and traffic volume and matches them with appropriate and cost-effective dust control strategies. Copies of the Selection Key and Field Guide can be obtained by contacting the U.S. Army Environmental Hotline at (800) USA-3845, DSN 584-1699. The Web versions may be viewed at <http://aec.army.mil/prod/usaec/et/conserv/conserv.htm>.

EMERGENCY PLANNING AND COMMUNITY RIGHT TO KNOW ACT (EPCRA) REPORTING VIOLATIONS: On 3 March 1999, U.S. EPA Region IX issued notices of violation (NOVs) to two Department of Defense (DoD) facilities for violations of EPCRA and Executive Order (EO) 12856. EPCRA and the EO compel federal agencies and facilities to comply with Right-to-Know laws and pollution prevention (P2) requirements. These two facilities were found to be in violation of EPCRA's chemical inventory reporting requirements. The facilities failed to conduct adequate internal reviews and audits, as required by the EO, even after being allowed 30 days to comply. U.S. EPA provided the bases' environmental staffs with compliance assistance to help resolve their deficiencies; however, the facilities failed to come into compliance. **DoD facilities should pay particular attention to the EPCRA regulations regarding chemicals that are subject to reporting, threshold amounts, and DoD specific requirements.** For additional information on EPCRA issues or NOVs, contact U.S. EPA's EPCRA Hotline at 1(800) 535-0202.

EPA CHANGES EPCRA FORM R REVISION POLICY: DoD facilities that submit Form R Toxic Release Inventory (TRI) reports pursuant to Section 313 of EPCRA need to be aware that U.S. EPA has tightened its submission timetable for any revision of those submittals. By Federal Register policy statement notice on 26 April 1999 (64 FR 20198), and immediately effective on that date, facilities must submit any revisions within 30 days of the submittal deadline for that data to be included in that year's national TRI. Revisions later than 30 days will still be accepted, but will not be included in the national TRI. Thus in most years, Form R reports must be submitted by 1 July and any revised Form R reports by 31 July.

GEORGIA RECYCLING COALITION (GRC): The Georgia Recycling Coalition (GRC) is hosting its annual conference this year at the Renaissance Pine Isle Resort, Lake Lanier north of Atlanta, 1 to 3 Sep. The conference starts on 1 Sep at 1:00 with a special military breakout session and features guest speakers from EPA HQ and the White House task force on waste reduction and recycling. Registration fee is \$250 at the door. There is no fee for the military breakout session. There is a tour of several recycling facilities in the area from 1:00 - 5:00 on 3 Sep. Call the GRC at 770-822-9308 for an agenda and/or to register. You can make hotel reservations by calling (770) 945-8921.

ONLINE ACCESS TO MILSPECS- REGISTRATION OR PASSWORD NO LONGER REQUIRED: Thanks to the much improved [Defense Standardization Program Web Site](#), all Government and Industry customers now have immediate, free access to Defense specifications and standards. Users simply click on "SPECS&STDS", and they are led to a DTIC document search screen, on which they enter the document information (e.g., number or title). The "hits" are then displayed, and the user selects the desired document. If it's a Defense Spec or Std, the ASSIST-Enterprise screen is then displayed, allowing the user to click on the selected document's icon. The user then views a full text version of the document in Adobe PDF, which can be downloaded and printed. Questions may be directed to Sharon Strickland, Defense Standardization Program, 767-6870.

TACTICAL CONCEALMENT, PLANNING FOR THE FUTURE: Maneuver training with heavy equipment can be damaging to the environment unless appropriate training land management practices are conducted in concert with training. Without training land management programs, Army training areas can degrade, thereby losing their effectiveness and usefulness as training resources. Tactical Concealment Area (TCA) planning is a tool for combating site degradation and promoting environmental rehabilitation; it enhances wildlife habitat, protects sensitive environmental and cultural resources, and provides for improved soldier and equipment safety. The U.S. Army Environmental Center is pleased to announce that the Tactical Concealment Area Planning and Design Guidance Document will be available to DoD activities in mid-September 1999 to help Army trainers and land managers enhance installation training resources using suitable development techniques. This document takes a holistic approach to training land design that systematically integrates training needs and environmental requirements while considering an installation's existing training resource conditions and implementation constraints. The Tactical Concealment Area Planning and Design Guidance Document provides installations with the opportunity to complete work in-house rather than contracting it out, saving money and affording more control over projects. The guidance contained in this document is a compilation of lessons learned from installation field experts and has been field tested at four Army and National Guard installations. It has proven successful in all cases.

FEDERAL

U.S. EPA Direct Final Rule; Proposed Rule: Hazardous Air Pollutants (HAPs): Regulations Governing Constructed or Reconstructed Major Sources (64 FR 35029/35110). U.S. EPA published a rule in the Federal Register on 27 December 1996 implementing certain provisions in Section 112(g) of the Clean Air Act (CAA). After the effective date of that rule, all owners or operators of major sources of HAPs that are constructed or reconstructed are required to install maximum achievable control technology (MACT) (unless specifically exempted), provided they are located in a state with an approved Title V permit program. When no applicable federal emission limitation has been promulgated, the CAA requires the permitting authority (generally a state or local agency responsible for the program) to determine a MACT emission limitation on a case-by-case basis. If the permitting authority has not yet established procedures for requiring MACT by the required date, the rule provides that the U.S. EPA Regional Administrator will determine MACT emission limitations on a case-by-case basis for a period of up to one year. This action amends the rule by providing a longer time period (up to 30 months) during which the U.S. EPA Regional Administrator may determine MACT emission limitations. This action is needed in order to ensure that major sources can obtain MACT determinations required for construction or reconstruction in those jurisdictions where permitting authorities require extra time to establish procedures to implement the Section 112(g) rule. This final rule amendment was effective 30 July 1999. *For further information contact: Kathy Kaufman; U.S. EPA, Information Transfer and Program Integration Division (ITPID); (919) 541-0102.*

U.S. EPA Direct Final Rule; Proposed Rule: National Emission Standards for Hazardous Air Pollutants (NESHAPs): Halogenated Solvent Cleaning (64 FR 37683/37734). U.S. EPA is amending the NESHAP for halogenated solvent cleaning by permanently exempting nonmajor (or "area") batch cold solvent cleaning machines that use halogenated solvent from the federal operating permit program and deferring federal operating permit requirements until 9 December 1999 for all other nonmajor halogenated solvent cleaning machines. With this amendment, these sources will be treated by the federal operating permits program in the same way U.S. EPA allows them to be treated by state operating permit programs adopted under Title V of the CAA. State programs are already allowed to exempt/defer such sources from their requirements for Title V operating permits. Without this amendment, sources located in areas that do not have state Title V permit programs could be subject to more burdensome requirements than may apply to sources located elsewhere.

This rule takes effect on 13 September 1999 without further notice, unless U.S. EPA receives adverse comment by 12 August 1999. *For further information contact: Candace Carraway; U.S. EPA, Office of Air Quality Planning and Standards; (919) 541-3189.*

U.S. EPA Final Rule: Technical and Procedural Amendments to Toxic Substances Control Act (TSCA) Regulations—Disposal of Polychlorinated Biphenyls (PCBs) (64 FR 33755). U.S. EPA published a document in the 29 June 1998 Federal Register amending the regulations affecting disposal of PCBs. U.S. EPA has identified several technical errors in that document. This rule corrects those errors. In addition, this rule establishes procedures for requesting an approval for risk-based sampling, cleanup, storage, or disposal of PCB remediation waste, and for risk-based decontamination or sampling of decontaminated material, where those activities occur in more than one U.S. EPA region. This rule was effective 24 June 1999. *For further information contact: Christine Augustiniak, Acting Director; U.S. EPA, Environmental Assistance Division, Office of Pollution Prevention and Toxics; (202) 554-1404; TDD (202) 544-0551; e-mail: TSCA-Hotline@epa.gov.*

U.S. EPA Final Rule: Hazardous Waste Management System; Modification of the Hazardous Waste Program; Hazardous Waste Lamps (64 FR 36466). U.S. EPA's final rule adds hazardous waste lamps to the federal list of universal wastes regulated under RCRA. Handlers of universal wastes are subject to less stringent standards for storing, transporting, and collecting these wastes. U.S. EPA has concluded that regulating spent hazardous waste lamps as a universal waste under 40 CFR Part 273 will lead to better management of these lamps and will facilitate compliance with hazardous waste requirements. This final rule, which streamlines the Subtitle C management requirements for hazardous waste lamps, also supports energy conservation efforts. This final rule is effective 6 January 2000. *For further information contact: Marilyn Goode; U.S. EPA, Office of Solid Waste; (703) 308-8800; e-mail: goode.marilyn@epamail.epa.gov.*

U.S. EPA Proposed Rule: Federal Plan Requirements for Hospital/Medical/Infectious Waste Incinerators (HMIWI) Constructed On or Before 20 June 1996 (64 FR 36425). On 15 September 1997, U.S. EPA adopted emission guidelines for existing HMIWIs. Sections 111 and 129 of the CAA require states with existing HMIWIs subject to the emission guidelines to submit plans to U.S. EPA that implement and enforce the emission guidelines. If a state with existing HMIWIs does not submit an approvable plan within two years after promulgation of the emission guidelines (15 September 1999), the CAA requires U.S. EPA to develop, implement, and enforce a federal plan for HMIWIs in that state. In this action, U.S. EPA proposes a federal plan to implement emission guidelines for HMIWIs located in states without effective state plans. This federal plan will most likely be an interim action for many states, because when a state plan becomes effective, the federal plan will no longer apply to HMIWIs covered by such plan. Comments on this proposal may be submitted on or before 7 September 1999. U.S. EPA will hold public hearings, if requested. The date and location of the public hearing(s) may be obtained by calling (919) 541-5420 or by e-mailing to banker.lalit@epa.gov after 5 August 1999. *For further information contact: Lalit Banker; U.S. EPA, ITPID; (919) 541-5420.*

GEORGIA

Media/Regulatory Area: Hazardous Waste
Announcing Agency: Environmental Protection Division
Purpose of Notice:

The Department has amended its Hazardous Site Response rules. The rule amends the current method for calculating and paying fees for hazardous waste management and hazardous substance reporting owed by certain parties pursuant to a 1996 amendment to the Hazardous Site Response Act. This amendment also established procedures for the granting of annual waivers of up to 25% of the referenced fees for certain facilities upon recommendation of the Pollution Prevention Assistance Division, in accordance with existing rules. A public hearing was held 11/02/98. At the hearing, several issues were discovered that required more attention. A second public was held 06/07/99 and written comments were accepted until that date. 07/20/99 UPDATE: The Department adopted the amendments as proposed 07/14/99.

Effective Date: 17 Aug 99
Source: Stateside Report 27 July, 1999
POC: Darren Meadows, 404-657-8600

Media/Regulatory Area: Water
Announcing Agency: Environmental Protection Division
Purpose of Notice:

The Department is working on re-issuing its general discharge permit for construction

activities. The permit will impact all construction activities that contain more than 5 acres. The proposed permit would: set numeric turbidity limits; require the development and implementation of a comprehensive monitoring plan; require the development of best management practices to control discharges; and require buffer zones from the edge of stream banks. The Department held a public hearing 3/10/99 and accepted written comments until 03/12/99. The Department expects the rule to be controversial and delayed by administrative appeals. The last time the Department handled this issue, it was before an Administrative Law Judge for almost two years before it was adopted. The Department is preparing for a similar delay. More than 20 individuals commented at the hearing including developers and environmental groups. It was approved by the governor in July and will become effective 60-90 days if it is not appealed.

Effective Date: 1 Sep 99, if not appealed.

Source: Stateside Report 27 July, 1999

POC: William Falter, 404-656-4887

NORTH CAROLINA

Media/Regulatory Area: Water

Announcing Agency: Dept of Environment and Natural Resources

Purpose of Notice:

The Department has adopted temporary rule amendments to its nutrient sensitive water strategy for the Neuse River basin, which focuses on nitrogen loading. The temporary rule seeks to protect riparian buffers in the Neuse River basin such as, intermittent and perennial streams, lakes, ponds and estuaries. The Department is also preparing to propose to adopt the temporary rule as permanent. The Neuse Buffer Rule was prompted by widespread fish kills and other water quality problems. The Environmental Commission is required by 1998 law (Chapter 221, 1998 Session Laws) to amend the existing Neuse Buffer Rule based on recommendations of the Stakeholder Advisory Committee and to include options for riparian buffer mitigation. The temporary rule amendments became effective 06/22/99. The Department is accepting written comments prior to formally proposing the proposing the rule.

Effective Date: 22 Jun 99

Source: Stateside Report 27 July, 1999

POC: Lin Xu, 919-733-5083 x357

TENNESSEE

Media/Regulatory Area: Air

Announcing Agency: Dept of Environment and Conservation

Purpose of Notice:

The Department has adopted amendment to its air pollution control regulations as well as to the TN SIP. The revisions will be to Rule 1200-3-2-.01, General Definitions, and Rule 1200-3-9-.02, Operation Permits. The Department held a public hearing 05/19/99 and written comments were accepted until 05/9/99.

Effective Date: 22 Aug 99

Source: Stateside Report 27 July, 1999

POC: Malcolm Butler, 615-532-0600

Media/Regulatory Area: Hazardous Waste

Announcing Agency: Dept of Environmental Conservation

Purpose of Notice:

The Department is proposing to adopt the RCRA amendments promulgated between 10/08/97 and 07/14/98. The revisions include: changing certain rule preamble language to reflect the changes by USEPA to Subpart CC Air Emission Standards for Tanks, Surface Impoundments and Containers, condensates derived from the overhead gases from kraft mill steam strippers are being excluded from regulation as a hazardous waste, and adding K140 and U408 wastes to the lists of hazardous waste. Additionally, Land Disposal Restrictions (LDR) Phase IV treatment standards for metal-bearing wastes, including

toxicity characteristics metal wastes and hazardous wastes from mineral processing. Amendments are also being made to the treatment standards for soil contaminated with hazardous wastes, and certain shredded circuit boards in recycling operations. The changes include making technical corrections, updating definitions, making general housekeeping changes, clarifications and making other minor alterations. A public hearing was held 10/19/98. No significant comments were made at the hearing. Department staff presented this rule to the Solid Waste Disposal Control Board at its 12/01/98 meeting. The Board approved the proposal at its 12/01/98 meeting. The Board also approved several amendments to the rule package promulgated 08/10/98, 08/31/98, 09/04/98 and 09/09/98. The rule is currently pending review by the Attorney General. After the Attorney General's review, the proposal must be reviewed by the Secretary of State. The Joint Legislative Government Operations Committee will then have 75 days to review the proposal. Department staff do not know how long the process will take; however, if the Attorney General finishes the rule review by 04/01/99 it is expected the amendments could become effective late June 1999.

Effective Date: 19 Jul 99
Source: Stateside Report 27 July, 1999
POC: Gerald "Jerry" E. Ingram, 615-532-0850

Media/Regulatory Area: Hazardous Waste
Announcing Agency: Dept of Environmental Conservation
Purpose of Notice:

The Department is proposing an expansion of the Universal Waste rule scope to include mercury containing lamps. The Department has requested TN Solid Waste Disposal Control Board Meeting that Tennessee expand its universal waste rule to include such lamps. The Department held a public hearing 10/19/98. No comments were received. The Board gave final approval of the rule 12/01/98. The rule is currently pending review by the Attorney General. After the Attorney General's review, the proposal must be reviewed by the Secretary of State. The Joint Legislative Government Operations Committee will then have 75 days to review the proposal. Department staff do not know how long the process will take; however, if the Attorney General finishes the rule review by 04/01/99 it is expected the amendments could become effective late June 1999.

Effective Date: 19 Jul 99
Source: Stateside Report 27 July, 1999
POC: Gerald "Jerry" E. Ingram, 615-532-0850

Media/Regulatory Area: Water
Announcing Agency: Dept of Environment and Conservation
Purpose of Notice:

The Department has amended its drinking water/public water supply rules. The revisions impact the "ownership and operational organization" provision and require that systems commencing operations after 9/30/99 have a "Capacity Development Plan." Public hearings were held 1/19/99 and 1/20/99.

Effective Date: 29 Aug 99
Source: Stateside Report 27 July, 1999
POC: Lee Keck, 615-532-0625